

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

September 17, 2007

## ROLL CALL

The regular monthly Council meeting of the City of St. Marys was called to order by Mayor Sally Geyer on Monday, September 17, 2007 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on September 13, 2007, posted at City Hall, and published in the Daily Press.

## ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Steven Skok, Mark Kopp, Sean Gabler, City Manager David Greene and Solicitor Stephen French

Absent: Richard Dornisch (excused)

## VISITORS

Visitors included: Warren Stewart, Daniel Hepner, John Grotzinger, Bridget Roberts, and Jason Little

APPROVAL OF MINUTES  
September 4, 2007

Mark Kopp made a motion to approve the minutes of September 4, 2007, seconded by Thomas Farley, and all were in favor, except Steven Skok who abstained.

CITIZEN COMMENTS ON  
AGENDA TOPICS

There were no citizen comments on agenda topics.

## MANAGER'S REPORT

Manager Greene presented the following report:

- Attended a meeting on August 22nd at CEC to discuss continuing educational opportunities for students and adults.
- Mike Mullaney and I attended the Elk Co. Planning Com. meeting on August 22nd to present plans for downtown traffic enhancement and the Eberl St. Bridge project.
- On August 23rd, the Mayor and I attended Rite-Aid's ribbon cutting ceremony.
- Met with Roy Zug, Gannett Fleming, on August 23rd to discuss the Airport Industrial Park Project.
- August 29th, Mike Mullaney, Tim Brennan, Steve Samick, and I met with PennDot representatives to discuss various issues (i.e. storm sewers, agility program, and street paving).
- Met with Bob Yoder on August 29th to review the plans for Industrial Steel's new building.
- September 11th, met with Kris Kronenwetter to discuss plans for the Depot Street parking lot.
- Councilman Nero and I attended the Planning Commission meeting on September 11th to answer any questions regarding the Airport Industrial Park Project.

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Letter from St. Marys  
Area High School re:  
Homecoming Parade

Manager Greene stated a letter was received from the St. Marys Area High School Athletic Department requesting to use Ford Road on Friday, September 21, 2007 for a "Homecoming Parade". The parade will begin at the former Ames Parking Lot at 5:00 p.m., travel Ford Road, and finish at the Dutch Country Stadium at the St. Marys Area High School/Middle School campus. The Manager felt the St. Marys Police Department should monitor the parade route.

Dennis Nero made a motion to approve the request of the St. Marys Area High School. The motion was seconded by Sean Gabler.

Steven Skok suggested that Carbon City Products, on Ford Road, be notified of the parade in case some employees of the plant would be getting out of work at that time.

Motion Passed

All were in favor of the motion.

**APPROVAL OF EXPENDITURES**

Sean Gabler made a motion to approve the Expenditures Report for the period August 16, 2007 thru September 12, 2007. The motion was seconded by Steven Skok.

Dennis Nero questioned Check Nos. 9331 and 9333 on Page 15 of the Sewage Treatment Fund. He assumed they were training hours for employees. This was confirmed by the Manager.

Motion Passed

All were in favor to approve the expenditures.

**TREASURER'S REPORT**

Mayor Geyer presented the Treasurer's Report as of August 31, 2007. Real Estate Tax revenue collected so far is at 96.34% of the budget. Last year, revenue collected was at 95.25%. Emergency Municipal Tax revenue is \$388,979.60 compared to last year of \$393,495. and in 2005 \$400,339. Total revenue collected for the General Fund is at \$4,406,264.81 or 80.14% of the budget and for the expenditures, the City spent \$3,612,387.38 or 66.02% of the budget. Last year, at this time, the City's revenues were \$3,666,042. and expenditures were \$2,687,702.

**LEGISLATIVE ACTION  
Police in Car Video  
Policy**

Manager Greene presented a new "Police in Car Video Policy" for the St. Marys Police Department for Council's review and approval. The policy will provide Police Officers with guidelines for the use of mobile video and audio recording equipment.

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Thomas Farley made a motion to approve the "Police in Car Video Policy", seconded by Dennis Nero, and all were in favor.

**2008 Minimum Municipal  
Obligation for the  
Pension Plans**

Manager Greene presented the City's 2008 Minimum Municipal Obligation for the Pension Plans. The report is done every year. Act 205 requires that the report be submitted and approved by the governing body of the City by September 30, 2007. Total requirements for the Police Pension is \$78,464.59 and \$113,291.38 for the non-uniformed employees.

Dennis Nero noted the City did not have to contribute to the pension in 2007 and asked that the Manager check with the Finance Director if the City would have to contribute in 2008.

Dennis Nero made a motion to approve the 2008 Minimum Municipal Obligation report, seconded by Steven Skok, and all were in favor.

**Consider for Adoption  
Resolution No. 07-21  
re: Industrial Sites  
Reuse Grant (ISR)  
(\$633,000.)**

Manager Greene presented Resolution No. 07-21 whereby the City requests an Industrial Sites Reuse Grant of \$633,000. from the Department of Community and Economic Development for environmental remediation activities that are needed to continue the development of affordable community and economic development activities in the City.

Mark Kopp made a motion to adopt Resolution No. 07-21. The motion was seconded by Dennis Nero.

Dennis Nero had a question on Page 19 under "Sources and Amounts of Matching Funds" for the project which shows City of St. Marys 9.47% (\$75,000.) and City of St. Marys 10.53% (\$83,250.) Mr. Nero would like to know where these funds are coming from. Manager responded from the \$4 million RCAP grant from Governor Rendell.

Motion Passed

All were in favor to adopt Resolution No. 07-21.

**Subdivision Applications  
St. Marys Airport  
Industrial Park**

A Subdivision Application was presented for the St. Marys Airport Industrial Park. This is a subdivision of a 143 acre lot into 15 industrial lots. One lot is to be used for the St. Marys Soccer Association, one lot for stormwater retentions, and two lots for open space, as well as, an access road. The subdivision will be served by public water and sewage.



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Jason Little,  
Gannett Fleming

Jason Little, from Gannett Fleming, was present to explain the Airport Industrial Park project to Council which included the permit review process with the City and the State.

Thomas Farley questioned lot 6 "green space 3.6 acres". The Manager noted lot 6 was designated as wetlands and will not be sold, otherwise, it could become an issue with DEP.

Thomas Farley inquired about the 50 foot abandoned right-of-way east of the Camp Owners' road. Solicitor French noted if the road was not deeded back to the property owners when abandoned, it would automatically go back to the adjoining property owners.

Mayor Geyer questioned the different lot sizes. Jason Little explained the lot sizes depended on the available land. The goal was to create three to five acre lots within the Airport Industrial Park.

Dennis Nero asked if the Planning Commission and owners have signed the plans. Jason Little noted he brought the sealed plans with him tonight and that they will be presented to the Planning Commission for their signatures.

Jason Little stated the issue regarding the City's zoning line between "Light Industrial" and "Rural Conservation" has been resolved. Lot 15 was made smaller to lie within the Light Industrial zone.

Thomas Farley questioned stormwater run-off. Jason Little stated stormwater plans have been submitted and that a lot has been designated as a stormwater area. There will be small detention basins on lots 1, 3 and 4. Mr. Little also noted in 2006, when a roadway was constructed, a stormwater management pond was constructed and that a slight expansion has now been added to the pond for the Airport Industrial Park which was approved by the City's engineer.

Sean Gabler made a motion to approve the Subdivision Application for the St. Marys Airport Industrial Park, seconded by Mark Kopp, and all were in favor.

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Cloverhill Estates  
off of Bucktail Road

John Grotzinger,  
Applicant

John Grotzinger explained the reason for the Subdivision Application. This application rearranges the lot lines in the Cloverhill Estates subdivision to correspond to the constructed location of Crestview Road. Some minor lot line changes had to be made because the right-of-way of Crestview Road had to be moved. The road was not built completely within the right-of-way. The new subdivision proposes two stormwater detention lots for stormwater control.

1st Motion

Dennis Nero made a motion to accept the Subdivision Application for Cloverhill Estates. The motion was seconded by Mark Kopp.

Thomas Farley expressed his concerns regarding the deed descriptions for lots RF 9, 10, and 11.

- Lot RF 9, listed the "southeasterly" corner of Lot RF-10. This should be the "northeasterly" corner.
- Lot RF-10 listed the "southwesterly" corner of Lot R-9. This should be "southeasterly" corner.
- Lot RF-11 listed "southwesterly" corner of Lot RF-10. This should be "southeasterly" corner.

Amended Motion

Dennis Nero amended his motion to accept the Subdivision Application, with the changes. The amended motion was seconded by Mark Kopp and all were in favor.

Franchise Agreement  
between the City  
and St. Marys Television

Manager Greene explained the reason for a new Franchise Agreement received from Zito Media L.P. St. Marys Television was owned 51% by Cletus Heller and 49% was owned by Adelpia. Zito Media L.P. has purchased all of St. Marys Cable Television and they have proposed a new Franchise Agreement with the City. A copy of the agreement was sent to Solicitor French for his review and comments.

A couple of minor changes need to be made. The liability insurance needs to be increased. In the current agreement, the City receives one percent (1%) of the gross revenue. In the new agreement, the City will receive one & one-half percent (1 1/2%) of its annual gross subscriber revenue for everything except the internet services.

Thomas Farley stated on Page 6 of the new agreement, he would like to see the term, instead of 10 years, back to 5 years, which is in the current agreement.

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Mr. Farley also noted, in the new agreement, it states a toll free telephone number will be available for customer service and he wondered if the St. Marys office will remain open or will it be closed.

Dennis Nero questioned Section 10 of the current contract, which states "No license or franchise issued under this ordinance shall be transferred without the prior approval of City Council". Mr. Nero asked if Zito Media is in violation. Solicitor French advised Council to hire an attorney, who specializes in telecommunications, to negotiate the agreement and that the City should not go ahead with the agreement without professional advice.

Dennis Nero would also like to see television coverage of Council meetings and felt this should be added to the new agreement.

Solicitor French will get in contact with a professional attorney to look at the agreement.

Motion to Start  
Budget Talks

Dennis Nero made a motion that we start budget talks as soon as possible after October 1st and any line item in the budget that is raised should have a written justification with the proposed budget. The motion was seconded by Thomas Farley and all were in favor.

CITIZEN COMMENTS ON  
NON-AGENDA TOPICS

There were no citizen comments on non-agenda topics.

COUNCIL COMMENTS

Mayor Geyer noted there will be vacancies on the City's Authorities, Boards, and Commissions. An article will be published in the Daily Press listing all the boards. All "Letters of Interest" should be sent to the City Manager.

Dennis Nero stated all that is required to apply for one of the vacancies is a "Letter of Interest", not a resume.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- Next Council meeting will be held on Monday, October 1, 2007 at 7:00 p.m.
- City's Fall Clean-up Day will be held on Saturday, September 22, 2007 from 8:00 a.m. to 1:00 p.m.
- Trick or Trick night in St. Marys will be held on Saturday, October 27, 2007 from 6:00 p.m. until 9:00 p.m. Porch light invitation only.

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## ADJOURNMENT

Dennis Nero made a motion to adjourn the meeting.

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Mayor

*Burley Dicklas*  
Recording Secretary